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MEMORANDUM

TO: Katie Gabhart, Executive Director
Executive Branch Ethics Commission

FROM: Emily Caudill, Regulations Compiler

RE: Acknowledgement of Proposed Administrative Regulation & Emergency – 009 KAR 001:040 & E

DATE: June 9, 2020

A copy of the ordinary and emergency administrative regulation listed above is enclosed for your files. This regulation is tentatively scheduled for review by the Administrative Regulation Review Subcommittee at its **September 2020** meeting. We will notify you of the date and time of this meeting once it has been scheduled.

Pursuant to KRS 13A.280, **if** comments are received during the public comment period, a Statement of Consideration for this regulation or a one-month extension request is due **by noon on September 15, 2020**. Please reference KRS 13A.270 and 13A.280 for other requirements relating to the public hearing and public comment period and Statements of Consideration.

The above-referenced emergency administrative regulation became effective upon filing with our office on **June 9, 2020** and will expire either in 240 days on **March 6, 2021**, or when replaced by its corresponding ordinary regulation, whichever occurs first.

If you have questions, please contact us at RegsCompiler@LRC.ky.gov or (502) 564-8100.

Enclosures



STATEMENT OF EMERGENCY

9 KAR 1:040E

(1) Nature of the emergency: This emergency administrative regulation is one that must be placed into effect immediately in order to meet the requirements of SB 157 (2020), which governs the procedures for administrative hearings. The amendment to the administrative regulation involves the procedures for filing of lobbyist forms required by KRS 11A.211 and includes changes to the lobbyist forms required by SB157. SB 157 will become effective on July 1, 2020.

(2) The reasons why an ordinary administrative regulation is not sufficient: An ordinary administrative regulation is not sufficient because it will not be in effect by the time the new amendments to KRS 11A.211 become effective on July 1, 2020.

(3) This emergency administrative regulation shall be replaced by an ordinary administrative regulation filed with the Regulations Compiler.

(4) The ordinary administrative regulation is identical to this emergency administrative regulation.

HON. ANDREW BESHEAR, Governor

Christopher L. Thacker (May 18, 2020)

HON. CHRISTOPHER L. THACKER, Chair

1 FINANCE AND ADMINISTRATION CABINET

2 Executive Branch Ethics Commission

3 (Emergency Amendment)

4 9 KAR 1:040E. Executive agency lobbyist, employer of executive agency lobbyist, and real party
5 in interest registration and expenditure statements; financial transactions and termination forms;
6 and enforcement.

7 RELATES TO: KRS 11A.201, 11A.211, 11A.216, 11A.221, 11A.231, 11A.233(1), 11A.236,
8 11A.241(4), (5), (6), 11A.990

9 STATUTORY AUTHORITY: KRS 11A.110(3), (4), 11A.241(4), (5)

10 NECESSITY, FUNCTION, AND CONFORMITY: KRS 11A.110(3) requires the Executive
11 Branch Ethics Commission to promulgate administrative regulations to implement and prescribe
12 forms for statements required by KRS Chapter 11A. KRS 11A.241(4) and (5) require the
13 Executive Branch Ethics Commission to prescribe the initial registration statement, the updated
14 registration statement, and the termination notice required by KRS 11A.211, the statement of
15 expenditures required by KRS 11A.216, and the statement of financial transactions required by
16 KRS 11A.221. This administrative regulation establishes the initial registration, financial
17 transactions statements, expenditure statements, termination notice, and enforcement procedure.

18 Section 1. Definitions. (1) "Agent" means the "executive agency lobbyist" as defined by KRS
19 11A.201(8).

20 (2) "Commission" means the Executive Branch Ethics Commission.

21 (3) "Employer" is defined by KRS 11A.201(3).

1 (4) "Executive agency decision" is defined by KRS 11A.201(7).

2 (5) "Executive agency lobbyist" is defined by KRS 11A.201(8).

3 (6) "Filer" means the executive agency lobbyist, employer of the executive agency lobbyist, or
4 real party in interest.

5 (7) "Real party in interest" is defined by KRS 11A.201(15).

6 Section 2. Initial Registration Statement. (1) ~~The [Until June 30, 2019, the initial registration~~
7 ~~statement required by KRS 11A.211(1) shall be filed on the Initial Registration Statement (Rev.~~
8 ~~4/2016). After June 30, 2019, the]~~ initial registration statement required by KRS 11A.211(1) shall
9 be filed on the Initial Registration Statement EBEC-EAL-201.

10 (2)(a) The brief description of the executive agency decision shall include the subject matter
11 for which an executive agency lobbyist:

12 1. Has been engaged; or

13 2. Is responsible.

14 (b) Subject matters shall include:

15 1. An award of grant for social services;

16 2. A lease for office space or equipment;

17 3. A contract to provide food, clothing, or other consumable products;

18 4. Any decisions made concerning the matters listed in KRS 11A.201(7)(a) through (f); and

19 5. Any other subject matter.

20 Section 3. (1) ~~[(a) Until July 31, 2019, if a filer submitted the initial registration statement form~~
21 ~~to the commission prior to June 30, 2019, then the updated registration statement form required by~~
22 ~~KRS 11A.211(2) shall be filed on the applicable Updated Registration Statement (Rev. 4/2016)~~
23 ~~for that filer.~~

1 ~~—(b)]~~ If a filer submitted the initial registration statement form to the commission, then during
2 the proceeding July 1 through July 30 following the initial registration and each year
3 thereafter,[after June 30, 2019, then] the updated registration form required by KRS 11A.211(2)
4 shall be filed on the applicable Updated Registration Statement as follows:

5 (a)[1-] For the executive agency lobbyist on:

6 1. [a-] The combined form EBEC-EAL-202; or

7 2. [b-] EBEC-EAL-203;

8 (b)[2-] For the employer of the executive agency lobbyist on form EBEC-EAL-204; and

9 (c)[3-] For the real party in interest on form EBEC-EAL-205.

10 (2) ~~The[Until June 30, 2019, the notice of termination required by KRS 11A.211(4) shall be~~
11 ~~filed on the Termination Notification as Executive Agency Lobbyist (Rev. 4/2016). After June 30,~~
12 ~~2019, the]~~ notice of termination required by KRS 11A.211(4) shall be filed on the Termination
13 Notification as Executive Agency Lobbyist EBEC-EAL-206.

14 Section 4. Enforcement Procedure. (1) If an executive agency lobbyist, an employer of an
15 executive agency lobbyist, or a real party in interest has not filed an Updated Registration
16 Statement on or before the date the statement is due, the commission shall notify the party, by
17 certified mail, return receipt requested, that if the statement is not filed within fifteen (15) days of
18 the date of the receipt of notice, the commission shall levy a fine, as provided by KRS 11A.990(5).

19 (2) If, by the 16th day after proof of service of the certified letter is received by the commission,
20 the commission has not received the statement that was due by July 31, the commission shall
21 prepare and issue to the executive agency lobbyist, employer, or real party in interest an order
22 demanding payment of the appropriate fine as required by KRS 11A.990(5). The executive agency
23 lobbyist, employer, or real party in interest shall pay the fine within ten (10) days from the date of

1 the order. The commission shall exonerate or reduce the fine if the commission receives evidence
2 during the ten (10) day fine payment period indicating the filer has already filed the updated
3 registration statement, or that the delinquency is in error.

4 (3) The commission also may exonerate or reduce a fine for late filing of the updated
5 registration statement if the commission feels that exoneration is warranted, based on the
6 circumstances, such as illness or injury, bereavement, emergency, unforeseen circumstances
7 beyond the control of the person, bona fide effort to file on time, or similar circumstance.

8 (4) If the commission is not in receipt of the fine from the executive agency lobbyist, employer,
9 or real party in interest by the tenth day after issuance of the order demanding payment of the fine,
10 the general counsel may recommend that the commission initiate an investigation of the executive
11 agency lobbyist, employer, or real party in interest to determine if the failure to file was intentional
12 causing the criminal penalties set forth in KRS 11A.990(6) to apply.

13 Section 5. Submission. (1) The signature on the statements and forms required by this
14 administrative regulation shall be:

15 (a) In blue or black ink; or

16 (b) Electronic.

17 (2) The forms required by this administrative regulation, which are filed with the commission,
18 shall be submitted as follows:

19 (a) By hard copy via hand-delivery or U.S. Mail to the Commission's address;

20 (b) Electronically by facsimile to (502) 696-5091;

21 (c) Electronically by electronic mail to ethicsfiler@ky.gov; or

22 (d) Through an online system once established by the commission.

23 (3) The forms incorporated by reference in this administrative regulation may be reproduced by

1 the executive agency lobbyist, the employer, or real party in interest.

2 Section 6. Incorporation by Reference. (1) The following material is incorporated by reference:

3 (a) "Initial Registration Statement" – EBEC-EAL-201 (Rev. 05/2020)~~[, rev. 04/2016]~~;

4 (b) "Updated Registration Statement - Executive Agency Lobbyist" – EBEC-EAL-202
5 (Rev.05/2020)~~[, rev. 04/2016]~~;

6 (c) "Updated Registration Statement - Employer of Executive Agency Lobbyist" – EBEC-EAL-
7 203 (Rev.05/2020)~~[, rev. 04/2016]~~;

8 (d) "Updated Registration Statement -Executive Agency Lobbyist/Employer Combined" –
9 EBEC-EAL-204 (Rev.05/2020)~~[, rev. 04/2016]~~;

10 (e) "Updated Registration Statement - Real Party in Interest" – EBEC-EAL-205 (Rev.05/2020)~~[,~~
11 ~~rev. 04/2016]~~;

12 (f) "Termination Notification as Executive Agency Lobbyist" – EBEC-EAL-206
13 (Rev.05/2020)~~[, rev. 04/2016]~~; and

14 (g) "Commonwealth of Kentucky Registration Card Executive Agency Lobbyist", 9/93[;

15 ~~—(h) "Initial Registration Statement" EBEC EAL 201 (Rev. 05/2019);~~

16 ~~—(i) "Updated Registration Statement – Executive Agency Lobbyist" EBEC EAL 202 (Rev.~~
17 ~~05/2019);~~

18 ~~—(j) "Updated Registration Statement – Executive Agency Lobbyist/Employer Combined"~~
19 ~~EBEC EAL 203 (Rev. 05/2019);~~

20 ~~—(k) "Updated Registration Statement – Employer of Executive Agency Lobbyist" EBEC EAL-~~
21 ~~204 (Rev. 05/2019);~~

22 ~~—(l) "Updated Registration Statement – Real Party in Interest" EBEC EAL 205 (Rev. 05/2019);~~

23 ~~—(m) "Termination Notification as Executive Agency Lobbyist" EBEC EAL 206 (Rev.~~

1 05/2019); and

2 ~~—(n) "Commonwealth of Kentucky Registration Card Executive Agency Lobbyist" (Rev. 9/93)}~~.

3 (2) This material may be inspected, copied, or obtained, subject to applicable copyright
4 law, at the Executive Branch Ethics Commission, 1025 Capital Center Drive, Suite 104, Frankfort,
5 Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m..

Christopher L. Thacker

Christopher L. Thacker (May 18, 2020)

CHRISTOPHER L. THACKER, CHAIR

APPROVED BY AGENCY: MAY 18, 2020

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation Number: 9 KAR 1:040E

Contact Person: Kathryn H. Gabhart Phone Number: (502) 564-7954

Email: Katie.Gabhart@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation provides guidance to Executive Agency Lobbyists, Employers of Executive Agency Lobbyists, and Real Parties in Interest who file an initial registration and updated registration statements with the Executive Branch Ethics Commission as required by KRS 11A.211, KRS 11A.216, KRS 11A.221, and KRS 11A.241(4).

(b) The necessity of this administrative regulation: This administrative regulation is required by KRS 11A.241(4), (5), and (6).

(c) How this administrative regulation conforms to the content of the authorizing statutes: This administrative regulation provides guidance and forms required by KRS 11A.211, KRS 11A.216, KRS 11A.221, and KRS 11A.241(4).

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation currently provides guidance and the forms required for Executive Agency Lobbyists, Employers of Executive Agency Lobbyists, and Real Parties in Interest who file an initial registration and updated registrations with the Executive Branch Ethics Commission as required by KRS 11A.211, KRS 11A.216, KRS 11A.221, and KRS 11A.241(4).

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment will change the administrative regulation by revising the forms required by KRS 11A.211, KRS 11A.216, KRS 11A.221, and KRS 11A.241(4) as required by SB 157 of the 2020 General Assembly Session, as well as necessary changes for ease of use and aesthetic functioning of the forms.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary as required by SB 157 of the 2020 General Assembly Session.

(c) How the amendment conforms to the content of the authorizing statutes: This amendment to the administrative regulation conforms with the requirements of SB 157 of the 2020 General Assembly Session requiring changes to the forms submitted by Executive Agency Lobbyists, Employers of the Executive Agency Lobbyists, and Real Parties in Interest.

(d) How the amendment will assist in the effective administration of the statutes: This amendment to the administrative regulation will assist in the administration of KRS 11A.211 as amended by SB 157 of the 2020 General Assembly Session requiring revisions in the forms submitted by Executive Agency Lobbyists, Employers of Executive Agency Lobbyists, and Real Parties in Interest.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Executive Agency Lobbyists, Employers of Executive Agency Lobbyists, Real Parties in Interest and officials of Executive Branch Agencies.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including: All Executive Agency Lobbyists, Employers of Executive Agency Lobbyists, Real Parties in Interest and officials of Executive Branch Agencies will be aware of the amendment of KRS 11A.211 by SB 157 of the 2020 General Assembly Session.

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: They will have to file the required forms.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There is no known cost associated with this amended administrative regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): All Executive Agency Lobbyists, Employers of Executive Agency Lobbyists, Real Parties in Interest and officials of Executive Branch Agencies will have guidance and notice as to the requirements of KRS 11A.211, KRS 11A.216, KRS 11A.221, and KRS 11A.241(4) and the revised forms required by SB 157 as amending KRS 11A.211.

(5) Provide an estimate of how much it will cost to implement this administrative regulation:

(a) Initially: Minimal costs to the Executive Branch Ethics Commission associated with the publication of training materials and conducting education already provided by the Commission's budget.

(b) On a continuing basis: Minimal costs to the Executive Branch Ethics Commission associated with the ongoing publication of training materials and conducting education already provided by the Commission's budget.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The Commission's existing budget.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change, if it is an amendment: This administrative regulation will not require an increase in any fees or funding.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This administrative regulation does not establish any fees.

(9) TIERING: Is tiering applied? Tiering was not applied because this administrative regulation applies equally to all affected individuals.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 9 KAR 1:040E

Contact Person: Kathryn H. Gabhart Phone Number: (502) 564-7954

Email: Katie.Gabhart@ky.gov

1. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Executive Branch of state government.

2. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 11A.110(3) and 11A.080.

3. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? The amendment to the administrative regulation will not generate any revenue.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This administrative regulation will not generate any revenue? The amendment to the administrative regulation will not generate any revenue.

(c) How much will it cost to administer this program for the first year? \$500 for publications and training; funds already included in the Executive Branch Ethics Commission's budget.

(d) How much will it cost to administer this program for subsequent years? \$500 for publication and training; funds already included in the Executive Branch Ethics Commission's budget.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): None

Expenditures (+/-): None

Other Explanation:

SUMMARY OF CHANGES TO MATERIAL INCORPORATED BY REFERENCE

Regulation Number: 9 KAR 1:040E

Contact Person: Kathryn H. Gabhart

Phone Number: (502) 564-7954 Email: Katie.Gabhart@ky.gov

The "Initial Registration Statement (Rev. 05/2020)" is a 4-page form required by KRS 11A.241(4) and KRS 11A.211 for the initial registration of professional lobbyists, employers of lobbyists, and Real Parties in interest to declare that they will be lobbying an agency of the Executive Branch.

It was amended as follows:

1. Page 1 was amended to remove the language in the top box and add the following language: **DO NOT SUBMIT REGISTRATION FEES WITH THE INITIAL REGISTRATION STATEMENT** Registration Fees are paid by the Employer/Real Party in Interest upon the filing of the annual Updated Registration Statement between July 1 and July 31 following the filing of this Initial Statement.
2. Pages 2 and 3 were not amended.
3. Page 4: the following statements were added to Section F:
 - a. Compensation shall be listed by the amount paid or received, the intervals on which the payment is paid or received, and shall include any other compensation received or paid as part of the engagement. Only report compensation that is received or paid for conducting Executive Branch lobbying efforts. Only include payments that have been made to the date of submitting this form;
 - b. 1. List compensation that has been received by the EAL from both the Employer and the Real Party in Interest, if applicable;
 - c. 2. List compensation that has been received by the Employer from the Real Party in Interest, if applicable; and
 - d. Language at bottom of page moved to page 1.

"Updated Registration Statement - Executive Agency Lobbyist (Rev. 05/2020)" is a 4-page form required by KRS 11A.211, KRS 11A.216, KRS 11A.221, and KRS 11A.241(4) for Executive Agency Lobbyists to update their registrations and include statements of expenditures and financial transactions with the Executive Branch Ethics Commission.

It was amended as follows:

1. Page 1 was amended to move the "Type of Report" section to the middle of the page and some formatting changes to the General Information section.
2. Pages 2 was amended to change the "Name of Employer" information into a table.
3. Page 3 was not amended.
4. Page 4 the following statements were added to Section E:
 - a. Compensation shall be listed by the amount paid or received, the intervals on which the payment is paid or received, and shall include any other compensation received or paid as part of the engagement. Only report compensation that is received or paid for conducting Executive Branch lobbying efforts during the reporting period. (Attach additional sheets, if necessary);

- b. 1. List compensation that has been received by the EAL from both the Employer, if applicable; and
- c. 2. List compensation that has been received by the EAL from the Real Party in Interest, if applicable.

"Updated Registration Statement - Employer of Executive Agency Lobbyist (Rev. 05/2020)" is a 4-page form is required by KRS 11A.211, KRS 11A.216, KRS 11A.221, and KRS 11A.241(4) for Employers of Executive Agency Lobbyists to update their registrations and include statements of expenditures and financial transactions with the Executive Branch Ethics Commission.

It was amended as follows:

1. Page 1 was amended as follows:
 - a. To move the "Type of Report" section to the middle of the page;
 - b. Some formatting changes to the General Information section; and
 - c. New Section added: B. COMPENSATION DISCLOSURE
 - i. Do not leave this section blank. (Attach additional sheets if necessary); and
 - ii. Compensation means "any money, thing of value, or economic benefit conferred on, or received by, any person in return for services rendered, or to be rendered, by himself or another." KRS 11A.201(1). Compensation shall be listed by the amount paid or received, the intervals on which the payment is paid or received, and shall include any other compensation received or paid AS PART OF THE ENGAGEMENT. Only report compensation that is received or paid for conducting Executive Branch lobbying efforts for the employer as it relates to the particular engagement. Only include payments that have been made during the reporting year.
2. Page 2 was amended as follows:
 - a. Paragraph 4 was renumbered as paragraph 1, the definition of "compensation" was moved to Page 1, and added the language "compensation (if already reported on the EAL from, state 'already reported on EAL form')";
 - b. Paragraph 5 was renumbered as paragraph 2, added the language "compensation (if already reported on the EAL from, state 'already reported on EAL form')," and the table was amended to add a new column entitled "Compensation Paid by Employer to Each EAL."
 - c. New paragraph 3 was added to state: Based on your Initial Registration Statement or last Updated Registration Statement, state compensation received by the Employer from the Real Party(ies) in Interest:

Name of Real Party in Interest	Compensation paid by each Real Party in Interest to the Employer

- d. Paragraph 6 was renumbered as paragraph 4 and a new column was added to table entitled "Compensation Paid by Real Party in Interest to Employer.
3. Page 3 was amended to rename Section D to Section E.
4. Page 4 was amended to rename Section B to Section C and rename Section C to Section D.

"Updated Registration Statement -Executive Agency Lobbyist/Employer Combined (05/2020)" is a 2-page combined form required by KRS 11A.211, KRS 11A.216, KRS 11A.221, and KRS 11A.241(4) to allow for Employers of only one Executive Agency Lobbyists and Executive Agency Lobbyists to update their registration with the Executive Branch Ethics Commission in one form.

It was amended as follows:

1. Page 1 was amended to move the "Type of Report" section to the middle of the page.
2. Page 2: the following statements were added to the C. Compensation Disclosure:
 - a. Compensation shall be listed by the amount paid or received, the intervals on which the payment is paid or received, and shall include any other compensation received or paid as part of the engagement. Only report compensation that is received or paid for conducting Executive Branch lobbying efforts during the reporting year;
 - b. List compensation that has been received by the EAL from the Employer during the reporting year.

"Updated Registration Statement - Real Party in Interest (Rev. 05/2020)" is a 4-page form required by KRS 11A.211, KRS 11A.216, KRS 11A.221, and KRS 11A.241(4) for Real Parties in Interest who employs an employer of Executive Agency Lobbyists to update their registration and include statements of expenditures and financial transactions with the Executive Branch Ethics Commission.

It was amended as follows:

1. Page 1 was amended to move the "Type of Report" section to the middle of the page and some formatting changes to the General Information section.
2. Page 2 was amended as follows:
 - a. New Section added: B. COMPENSATION DISCLOSURE:
 - b. Do not leave this section blank. (Attach additional sheets if necessary);
 - c. Compensation means "any money, thing of value, or economic benefit conferred on, or received by, any person in return for services rendered, or to be rendered, by himself or another." KRS 11A.201(1). Compensation shall be listed by the amount paid or received, the intervals on which the payment is paid or received, and shall include any other compensation received or paid AS PART OF THE ENGAGEMENT. Only report compensation that is received or paid for conducting Executive Branch lobbying efforts for the employer as it relates to the particular engagement. Only include payments that have been made during the reporting year;
 - d. Paragraph 4 was renumber as Paragraph 1 and added the language "and the compensation paid to each **unless already reported on the EAL form**";

- e. A new column was added to the chart entitled "Compensation Paid by the Real Party in Interest to Each EAL";
- f. Paragraph 5 was renumbered as paragraph 2, added the language "and the compensation that was paid to each unless already reported on the EAL from," and the table was amended to add a new column entitled "Compensation Paid by Real Party in Interest to Each EAL";
- g. Paragraph 5 was renumbered as paragraph 3, added the language "compensation (if already reported on the EAL from, state 'already reported on EAL form')", and the table was amended to add a new column entitled "Compensation Paid by Employer to Each EAL"; and
- h. New paragraph 3 was added to state: "Provide the full name of all Employers of Executive Agency Lobbyists, if applicable, who were registered to act on behalf of the Real Party in Interest during this reporting period and the compensation paid to each **unless already reported on the Employer form.**" and the following table added:

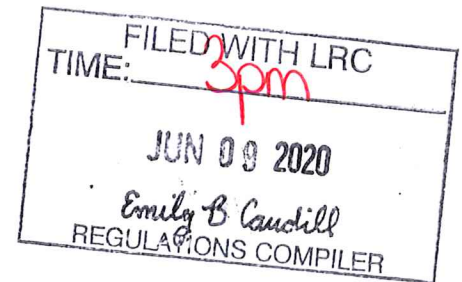
Name of Employer of EAL, if applicable	Compensation paid by Real Party In Interest to Each Employer of EAL, if applicable

3. Pages 3: Section B was renamed Section C. Section C was renamed Section D.
4. Page 4: Section D was renamed Section E.

"Termination Notification as Executive Agency Lobbyist (Rev. 05/2020)" is a 2-page form required by KRS 11A.241(4) and KRS 11A.211 for Executive Agency Lobbyists to terminate their registration with the Executive Branch Ethics Commission. It was amended as follows to add to the Compensation section the following language:

1. **Unless already reported on the final EBEC-EAL-203**, list final compensation paid to each executive agency lobbyist by each employer and real party in interest (if already report state "already reported on EAL form");
2. Compensation shall be listed by the amount paid or received, the intervals on which the payment is paid or received, and shall include any other compensation received or paid as part of the engagement. Only report compensation that is received or paid for conducting Executive Branch lobbying efforts. **Only include payments that have been made since the date of the last report until the date of submitting this form.**

"Commonwealth of Kentucky Registration Card Executive Agency Lobbyist (9/93)" is required by KRS 11.211(6) to be issued to new Executive Agency Lobbyists after submitting an Initial Registration Statements with the Executive Branch Ethics Commission. This form was not amended.



1 FINANCE AND ADMINISTRATION CABINET

2 Executive Branch Ethics Commission

3 (Amendment)

4 9 KAR 1:040. Executive agency lobbyist, employer of executive agency lobbyist, and real party
5 in interest registration and expenditure statements; financial transactions and termination forms;
6 and enforcement.

7 RELATES TO: KRS 11A.201, 11A.211, 11A.216, 11A.221, 11A.231, 11A.233(1), 11A.236,
8 11A.241(4), (5), (6), 11A.990

9 STATUTORY AUTHORITY: KRS 11A.110(3), (4), 11A.241(4), (5)

10 NECESSITY, FUNCTION, AND CONFORMITY: KRS 11A.110(3) requires the Executive
11 Branch Ethics Commission to promulgate administrative regulations to implement and prescribe
12 forms for statements required by KRS Chapter 11A. KRS 11A.241(4) and (5) require the
13 Executive Branch Ethics Commission to prescribe the initial registration statement, the updated
14 registration statement, and the termination notice required by KRS 11A.211, the statement of
15 expenditures required by KRS 11A.216, and the statement of financial transactions required by
16 KRS 11A.221. This administrative regulation establishes the initial registration, financial
17 transactions statements, expenditure statements, termination notice, and enforcement procedure.

18 Section 1. Definitions. (1) "Agent" means the "executive agency lobbyist" as defined by KRS
19 11A.201(8).

20 (2) "Commission" means the Executive Branch Ethics Commission.

21 (3) "Employer" is defined by KRS 11A.201(3).

1 (4) "Executive agency decision" is defined by KRS 11A.201(7).

2 (5) "Executive agency lobbyist" is defined by KRS 11A.201(8).

3 (6) "Filer" means the executive agency lobbyist, employer of the executive agency lobbyist, or
4 real party in interest.

5 (7) "Real party in interest" is defined by KRS 11A.201(15).

6 Section 2. Initial Registration Statement. (1) ~~The [Until June 30, 2019, the initial registration~~
7 ~~statement required by KRS 11A.211(1) shall be filed on the Initial Registration Statement (Rev.~~
8 ~~4/2016). After June 30, 2019, the]~~ initial registration statement required by KRS 11A.211(1) shall
9 be filed on the Initial Registration Statement EBEC-EAL-201.

10 (2)(a) The brief description of the executive agency decision shall include the subject matter
11 for which an executive agency lobbyist:

12 1. Has been engaged; or

13 2. Is responsible.

14 (b) Subject matters shall include:

15 1. An award of grant for social services;

16 2. A lease for office space or equipment;

17 3. A contract to provide food, clothing, or other consumable products;

18 4. Any decisions made concerning the matters listed in KRS 11A.201(7)(a) through (f); and

19 5. Any other subject matter.

20 Section 3. (1) ~~[(a) Until July 31, 2019, if a filer submitted the initial registration statement form~~
21 ~~to the commission prior to June 30, 2019, then the updated registration statement form required by~~
22 ~~KRS 11A.211(2) shall be filed on the applicable Updated Registration Statement (Rev. 4/2016)~~
23 ~~for that filer.~~

1 —(b)] If a filer submitted the initial registration statement form to the commission, then during
2 the proceeding July 1 through July 30 following the initial registration and each year
3 thereafter,~~[after June 30, 2019, then]~~ the updated registration form required by KRS 11A.211(2)
4 shall be filed on the applicable Updated Registration Statement as follows:

5 (a)~~[1.]~~ For the executive agency lobbyist on:

6 1. ~~[a.]~~ The combined form EBEC-EAL-202; or

7 2. ~~[b.]~~ EBEC-EAL-203;

8 (b)~~[2.]~~ For the employer of the executive agency lobbyist on form EBEC-EAL-204; and

9 (c)~~[3.]~~ For the real party in interest on form EBEC-EAL-205.

10 (2) ~~The~~~~[Until June 30, 2019, the notice of termination required by KRS 11A.211(4) shall be~~
11 ~~filed on the Termination Notification as Executive Agency Lobbyist (Rev. 4/2016). After June 30,~~
12 ~~2019, the]~~ notice of termination required by KRS 11A.211(4) shall be filed on the Termination
13 Notification as Executive Agency Lobbyist EBEC-EAL-206.

14 Section 4. Enforcement Procedure. (1) If an executive agency lobbyist, an employer of an
15 executive agency lobbyist, or a real party in interest has not filed an Updated Registration
16 Statement on or before the date the statement is due, the commission shall notify the party, by
17 certified mail, return receipt requested, that if the statement is not filed within fifteen (15) days of
18 the date of the receipt of notice, the commission shall levy a fine, as provided by KRS 11A.990(5).

19 (2) If, by the 16th day after proof of service of the certified letter is received by the commission,
20 the commission has not received the statement that was due by July 31, the commission shall
21 prepare and issue to the executive agency lobbyist, employer, or real party in interest an order
22 demanding payment of the appropriate fine as required by KRS 11A.990(5). The executive agency
23 lobbyist, employer, or real party in interest shall pay the fine within ten (10) days from the date of

1 the order. The commission shall exonerate or reduce the fine if the commission receives evidence
2 during the ten (10) day fine payment period indicating the filer has already filed the updated
3 registration statement, or that the delinquency is in error.

4 (3) The commission also may exonerate or reduce a fine for late filing of the updated
5 registration statement if the commission feels that exoneration is warranted, based on the
6 circumstances, such as illness or injury, bereavement, emergency, unforeseen circumstances
7 beyond the control of the person, bona fide effort to file on time, or similar circumstance.

8 (4) If the commission is not in receipt of the fine from the executive agency lobbyist, employer,
9 or real party in interest by the tenth day after issuance of the order demanding payment of the fine,
10 the general counsel may recommend that the commission initiate an investigation of the executive
11 agency lobbyist, employer, or real party in interest to determine if the failure to file was intentional
12 causing the criminal penalties set forth in KRS 11A.990(6) to apply.

13 Section 5. Submission. (1) The signature on the statements and forms required by this
14 administrative regulation shall be:

15 (a) In blue or black ink; or

16 (b) Electronic.

17 (2) The forms required by this administrative regulation, which are filed with the commission,
18 shall be submitted as follows:

19 (a) By hard copy via hand-delivery or U.S. Mail to the Commission's address;

20 (b) Electronically by facsimile to (502) 696-5091;

21 (c) Electronically by electronic mail to ethicsfiler@ky.gov; or

22 (d) Through an online system once established by the commission.

23 (3) The forms incorporated by reference in this administrative regulation may be reproduced by

1 the executive agency lobbyist, the employer, or real party in interest.

2 Section 6. Incorporation by Reference. (1) The following material is incorporated by reference:

3 (a) "Initial Registration Statement" - EBEC-EAL-201 (Rev. 05/2020)~~[, rev. 04/2016];~~

4 (b) "Updated Registration Statement - Executive Agency Lobbyist" - EBEC-EAL-202
5 (Rev.05/2020)~~[, rev. 04/2016];~~

6 (c) "Updated Registration Statement - Employer of Executive Agency Lobbyist" - EBEC-EAL-
7 203 (Rev.05/2020)~~[, rev. 04/2016];~~

8 (d) "Updated Registration Statement -Executive Agency Lobbyist/Employer Combined" __-
9 EBEC-EAL-204 (Rev.05/2020)~~[, rev. 04/2016];~~

10 (e) "Updated Registration Statement - Real Party in Interest" - EBEC-EAL-205 (Rev.05/2020)~~[,~~
11 ~~rev. 04/2016];~~

12 (f) "Termination Notification as Executive Agency Lobbyist" - EBEC-EAL-206
13 (Rev.05/2020)~~[, rev. 04/2016]; and~~

14 (g) "Commonwealth of Kentucky Registration Card Executive Agency Lobbyist", 9/93[;

15 ~~—(h) "Initial Registration Statement" EBEC EAL 201 (Rev. 05/2019);~~

16 ~~—(i) "Updated Registration Statement — Executive Agency Lobbyist" EBEC EAL 202 (Rev.~~
17 ~~05/2019);~~

18 ~~—(j) "Updated Registration Statement — Executive Agency Lobbyist/Employer Combined"~~
19 ~~EBEC EAL 203 (Rev. 05/2019);~~

20 ~~—(k) "Updated Registration Statement — Employer of Executive Agency Lobbyist" EBEC EAL~~
21 ~~204 (Rev. 05/2019);~~

22 ~~—(l) "Updated Registration Statement — Real Party in Interest" EBEC EAL 205 (Rev. 05/2019);~~

23 ~~—(m) "Termination Notification as Executive Agency Lobbyist" EBEC EAL 206 (Rev.~~

1 05/2019); and

2 ~~—(n) "Commonwealth of Kentucky Registration Card Executive Agency Lobbyist" (Rev. 9/93)]~~.

3 (2) This material may be inspected, copied, or obtained, subject to applicable copyright
4 law, at the Executive Branch Ethics Commission, 1025 Capital Center Drive, Suite 104, Frankfort,
5 Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m..

Christopher L. Thacker
Christopher L. Thacker (May 18, 2020)

CHRISTOPHER L. THACKER, CHAIR

APPROVED BY AGENCY: MAY 18, 2020

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on August 21, 2020, at 1:00 p.m., via Video Teleconference platform Amazon Chime, <https://chime.aws/1349412511>, Meeting ID: 1349 41 2511, and at the primary physical location of Shared Boardroom, Capital Complex East, 1025 Capital Center Drive, Suite 105, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of this hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through August 31, 2020. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Kathryn H. Gabhart, Executive Director, Executive Branch Ethics Commission, 1025 Capital Center Drive, Suite 104, Frankfort, Kentucky 40601, (502) 564-7954, facsimile (502) 695-5939, Katie.Gabhart@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation Number: 9 KAR 1:040

Contact Person: Kathryn H. Gabhart Phone Number: (502) 564-7954

Email: Katie.Gabhart@ky.gov

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation provides guidance to Executive Agency Lobbyists, Employers of Executive Agency Lobbyists, and Real Parties in Interest who file an initial registration and updated registration statements with the Executive Branch Ethics Commission as required by KRS 11A.211, KRS 11A.216, KRS 11A.221, and KRS 11A.241(4).

(b) The necessity of this administrative regulation: This administrative regulation is required by KRS 11A.241(4), (5), and (6).

(c) How this administrative regulation conforms to the content of the authorizing statutes: This administrative regulation provides guidance and forms required by KRS 11A.211, KRS 11A.216, KRS 11A.221, and KRS 11A.241(4).

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation currently provides guidance and the forms required for Executive Agency Lobbyists, Employers of Executive Agency Lobbyists, and Real Parties in Interest who file an initial registration and updated registrations with the Executive Branch Ethics Commission as required by KRS 11A.211, KRS 11A.216, KRS 11A.221, and KRS 11A.241(4).

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment will change the administrative regulation by revising the forms required by KRS 11A.211, KRS 11A.216, KRS 11A.221, and KRS 11A.241(4) as required by SB 157 of the 2020 General Assembly Session, as well as necessary changes for ease of use and aesthetic functioning of the forms.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary as required by SB 157 of the 2020 General Assembly Session.

(c) How the amendment conforms to the content of the authorizing statutes: This amendment to the administrative regulation conforms with the requirements of SB 157 of the 2020 General Assembly Session requiring changes to the forms submitted by Executive Agency Lobbyists, Employers of the Executive Agency Lobbyists, and Real Parties in Interest.

(d) How the amendment will assist in the effective administration of the statutes: This amendment to the administrative regulation will assist in the administration of KRS 11A.211 as amended by SB 157 of the 2020 General Assembly Session requiring revisions in the forms submitted by Executive Agency Lobbyists, Employers of Executive Agency Lobbyists, and Real Parties in Interest.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Executive Agency Lobbyists, Employers of Executive Agency Lobbyists, Real Parties in Interest and officials of Executive Branch Agencies.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including: All Executive Agency Lobbyists, Employers of Executive Agency Lobbyists, Real Parties in Interest and officials of Executive Branch Agencies will be aware of the amendment of KRS 11A.211 by SB 157 of the 2020 General Assembly Session.

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: They will have to file the required forms.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There is no known cost associated with this amended administrative regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): All Executive Agency Lobbyists, Employers of Executive Agency Lobbyists, Real Parties in Interest and officials of Executive Branch Agencies will have guidance and notice as to the requirements of KRS 11A.211, KRS 11A.216, KRS 11A.221, and KRS 11A.241(4) and the revised forms required by SB 157 as amending KRS 11A.211.

(5) Provide an estimate of how much it will cost to implement this administrative regulation:

(a) Initially: Minimal costs to the Executive Branch Ethics Commission associated with the publication of training materials and conducting education already provided by the Commission's budget.

(b) On a continuing basis: Minimal costs to the Executive Branch Ethics Commission associated with the ongoing publication of training materials and conducting education already provided by the Commission's budget.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: The Commission's existing budget.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change, if it is an amendment: This administrative regulation will not require an increase in any fees or funding.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This administrative regulation does not establish any fees.

(9) TIERING: Is tiering applied? Tiering was not applied because this administrative regulation applies equally to all affected individuals.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 9 KAR 1:040

Contact Person: Kathryn H. Gabhart Phone Number: (502) 564-7954

Email: Katie.Gabhart@ky.gov

1. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Executive Branch of state government.

2. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 11A.110(3) and 11A.080.

3. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? The amendment to the administrative regulation will not generate any revenue.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This administrative regulation will not generate any revenue? The amendment to the administrative regulation will not generate any revenue.

(c) How much will it cost to administer this program for the first year? \$500 for publications and training; funds already included in the Executive Branch Ethics Commission's budget.

(d) How much will it cost to administer this program for subsequent years? \$500 for publication and training; funds already included in the Executive Branch Ethics Commission's budget.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): None

Expenditures (+/-): None

Other Explanation:

SUMMARY OF CHANGES TO MATERIAL INCORPORATED BY REFERENCE

Regulation Number: 9 KAR 1:040

Contact Person: Kathryn H. Gabhart

Phone Number: (502) 564-7954

Email: Katie.Gabhart@ky.gov

The "Initial Registration Statement (Rev. 05/2020)" is a 4-page form required by KRS 11A.241(4) and KRS 11A.211 for the initial registration of professional lobbyists, employers of lobbyists, and Real Parties in interest to declare that they will be lobbying an agency of the Executive Branch.

It was amended as follows:

1. Page 1 was amended to remove the language in the top box and add the following language: **DO NOT SUBMIT REGISTRATION FEES WITH THE INITIAL REGISTRATION STATEMENT** Registration Fees are paid by the Employer/Real Party in Interest upon the filing of the annual Updated Registration Statement between July 1 and July 31 following the filing of this Initial Statement.
2. Pages 2 and 3 were not amended.
3. Page 4: the following statements were added to Section F:
 - a. Compensation shall be listed by the amount paid or received, the intervals on which the payment is paid or received, and shall include any other compensation received or paid as part of the engagement. Only report compensation that is received or paid for conducting Executive Branch lobbying efforts. Only include payments that have been made to the date of submitting this form;
 - b. 1. List compensation that has been received by the EAL from both the Employer and the Real Party in Interest, if applicable;
 - c. 2. List compensation that has been received by the Employer from the Real Party in Interest, if applicable; and
 - d. Language at bottom of page moved to page 1.

"Updated Registration Statement - Executive Agency Lobbyist (Rev. 05/2020)" is a 4-page form required by KRS 11A.211, KRS 11A.216, KRS 11A.221, and KRS 11A.241(4) for Executive Agency Lobbyists to update their registrations and include statements of expenditures and financial transactions with the Executive Branch Ethics Commission.

It was amended as follows:

1. Page 1 was amended to move the "Type of Report" section to the middle of the page and some formatting changes to the General Information section.
2. Pages 2 was amended to change the "Name of Employer" information into a table.
3. Page 3 was not amended.
4. Page 4 the following statements were added to Section E:
 - a. Compensation shall be listed by the amount paid or received, the intervals on which the payment is paid or received, and shall include any other compensation received or paid as part of the engagement. Only report compensation that is received or paid for

conducting Executive Branch lobbying efforts during the reporting period. (Attach additional sheets, if necessary);

- b. 1. List compensation that has been received by the EAL from both the Employer, if applicable; and
- c. 2. List compensation that has been received by the EAL from the Real Party in Interest, if applicable.

"Updated Registration Statement - Employer of Executive Agency Lobbyist (Rev. 05/2020)" is a 4-page form is required by KRS 11A.211, KRS 11A.216, KRS 11A.221, and KRS 11A.241(4) for Employers of Executive Agency Lobbyists to update their registrations and include statements of expenditures and financial transactions with the Executive Branch Ethics Commission.

It was amended as follows:

1. Page 1 was amended as follows:

- a. To move the "Type of Report" section to the middle of the page;
- b. Some formatting changes to the General Information section; and
- c. New Section added: B. COMPENSATION DISCLOSURE
 - i. Do not leave this section blank. (Attach additional sheets if necessary); and
 - ii. Compensation means "any money, thing of value, or economic benefit conferred on, or received by, any person in return for services rendered, or to be rendered, by himself or another." KRS 11A.201(1). Compensation shall be listed by the amount paid or received, the intervals on which the payment is paid or received, and shall include any other compensation received or paid AS PART OF THE ENGAGEMENT. Only report compensation that is received or paid for conducting Executive Branch lobbying efforts for the employer as it relates to the particular engagement. Only include payments that have been made during the reporting year.

2. Page 2 was amended as follows:

- a. Paragraph 4 was renumbered as paragraph 1, the definition of "compensation" was moved to Page 1, and added the language "compensation (if already reported on the EAL from, state 'already reported on EAL form')";
- b. Paragraph 5 was renumbered as paragraph 2, added the language "compensation (if already reported on the EAL from, state 'already reported on EAL form')," and the table was amended to add a new column entitled "Compensation Paid by Employer to Each EAL."
- c. New paragraph 3 was added to state: Based on your Initial Registration Statement or last Updated Registration Statement, state compensation received by the Employer from the Real Party(ies) in Interest:

Name of Real Party in Interest	Compensation paid by each Real Party in Interest to the Employer

- d. Paragraph 6 was renumbered as paragraph 4 and a new column was added to table entitled "Compensation Paid by Real Party in Interest to Employer.
3. Page 3 was amended to rename Section D to Section E.
4. Page 4 was amended to rename Section B to Section C and rename Section C to Section D.

"Updated Registration Statement -Executive Agency Lobbyist/Employer Combined (05/2020)" is a 2-page combined form required by KRS 11A.211, KRS 11A.216, KRS 11A.221, and KRS 11A.241(4) to allow for Employers of only one Executive Agency Lobbyists and Executive Agency Lobbyists to update their registration with the Executive Branch Ethics Commission in one form.

It was amended as follows:

1. Page 1 was amended to move the "Type of Report" section to the middle of the page.
2. Page 2: the following statements were added to the C. Compensation Disclosure:
 - a. Compensation shall be listed by the amount paid or received, the intervals on which the payment is paid or received, and shall include any other compensation received or paid as part of the engagement. Only report compensation that is received or paid for conducting Executive Branch lobbying efforts during the reporting year;
 - b. List compensation that has been received by the EAL from the Employer during the reporting year.

"Updated Registration Statement - Real Party in Interest (Rev. 05/2020)" is a 4-page form required by KRS 11A.211, KRS 11A.216, KRS 11A.221, and KRS 11A.241(4) for Real Parties in Interest who employs an employer of Executive Agency Lobbyists to update their registration and include statements of expenditures and financial transactions with the Executive Branch Ethics Commission.

It was amended as follows:

1. Page 1 was amended to move the "Type of Report" section to the middle of the page and some formatting changes to the General Information section.
2. Page 2 was amended as follows:
 - a. New Section added: B. **COMPENSATION DISCLOSURE:**
 - b. Do not leave this section blank. (Attach additional sheets if necessary);
 - c. Compensation means "any money, thing of value, or economic benefit conferred on, or received by, any person in return for services rendered, or to be rendered, by himself or another." KRS 11A.201(1). Compensation shall be listed by the amount paid or received, the intervals on which the payment is paid or received, and shall include any other compensation received or paid **AS PART OF THE ENGAGEMENT**. Only report compensation that is received or paid for conducting Executive Branch lobbying efforts for the employer as it relates to the particular engagement. Only include payments that have been made during the reporting year;
 - d. Paragraph 4 was renumber as Paragraph 1 and added the language "and the compensation paid to each **unless already reported on the EAL form**";

- e. A new column was added to the chart entitled "Compensation Paid by the Real Party in Interest to Each EAL";
- f. Paragraph 5 was renumbered as paragraph 2, added the language "and the compensation that was paid to each unless already reported on the EAL from," and the table was amended to add a new column entitled "Compensation Paid by Real Party in Interest to Each EAL";
- g. Paragraph 5 was renumbered as paragraph 3, added the language "compensation (if already reported on the EAL from, state 'already reported on EAL form')", and the table was amended to add a new column entitled "Compensation Paid by Employer to Each EAL"; and
- h. New paragraph 3 was added to state: "Provide the full name of all Employers of Executive Agency Lobbyists, if applicable, who were registered to act on behalf of the Real Party in Interest during this reporting period and the compensation paid to each **unless already reported on the Employer form:**" and the following table added:

Name of Employer of EAL, if applicable	Compensation paid by Real Party In Interest to Each Employer of EAL, if applicable

3. Pages 3: Section B was renamed Section C. Section C was renamed Section D.
4. Page 4: Section D was renamed Section E.

"Termination Notification as Executive Agency Lobbyist (Rev. 05/2020)" is a 2-page form required by KRS 11A.241(4) and KRS 11A.211 for Executive Agency Lobbyists to terminate their registration with the Executive Branch Ethics Commission. It was amended as follows to add to the Compensation section the following language:

1. **Unless already reported on the final EBEC-EAL-203**, list final compensation paid to each executive agency lobbyist by each employer and real party in interest (if already report state "already reported on EAL form");
2. Compensation shall be listed by the amount paid or received, the intervals on which the payment is paid or received, and shall include any other compensation received or paid as part of the engagement. Only report compensation that is received or paid for conducting Executive Branch lobbying efforts. **Only include payments that have been made since the date of the last report until the date of submitting this form.**

"Commonwealth of Kentucky Registration Card Executive Agency Lobbyist (9/93)" is required by KRS 11.211(6) to be issued to new Executive Agency Lobbyists after submitting an Initial Registration Statements with the Executive Branch Ethics Commission. This form was not amended.